

[1]
Read 19 Dec 1754 in Lords

212. R. 7
39



Enacted
28 Geo II
Private Act

C. 49

An ACT for Dissolving the Marriage of Richard Morgan Esquire, with Ann Hall, his now Wife; and to enable him to marry again; and for other Purposes therein mentioned;



UMBLY Sheweth, and Complaineth, to your most Excellent MAJESTY, Your true and loyal Subject *Richard Morgan*, of the City of *Dublin*, Esquire; That he did, in or about the Month of *May* One thousand Seven hundred and Forty-one, intermarry, in *Great Britain*, with *Ann* his now Wife:

THAT your Subject and his said Wife cohabited for several Years in *Great Britain*, and then went into *Ireland*, and cohabited there until the Month of *May* One thousand Seven hundred and Fifty-one: At which time it was discovered, that the said *Ann* had entered into a criminal Intercourse and an adulterous Conversation there with one *William Scott*, then a common Servant to your said Subject, and continued to carry on the same for a considerable time:

THAT your said Subject's Wife, finding herself detected in her Guilt, thought proper to depart from your said Subject's House, in or about the Month of *July* One thousand Seven hundred and Fifty-one, and hath ever since continued to live separate and apart from your said Subject, and hath never since such her Departure from your said Subject had any Interview, or Conversation, or Correspondence, with your said Subject:

THAT your said Subject's Wife never had any Issue of her Body, before she left your said Subject's House, as aforesaid; nor since, to the Knowledge of your said Subject:

THAT the said *Ann* is guilty of Adultery on her Part, and hath thereby broken the Bond of Matrimony; and your said Subject hath, in a Suit instituted by your said Subject for that Purpose, obtained a definitive Sentence of Divorce, from Bed and Board, in the Consistorial and Metropolitan Court of the Diocese of *Dublin* against the said *Ann*, for Adultery:

A.

Forasmuch

Forasmuch therefore as your said Subject hath no Issue, nor can have or hope for any other than a spurious Issue, to succeed him in his Estate and Fortune, unless the said Marriage be declared void and annulled by Parliament, and your said Subject be enabled to marry any other Woman :

May it please Your most Excellent MAJESTY,

(out of Your Princely Goodness and Compassion to Your said Subject's Misfortune and Calamity, and for the future Support and Comfort of himself and Family), That it may be **Enacted; And be it Enacted**, by the KING's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Bond of Matrimony, being violated and broken by the manifest open Adultery of the said *Ann*, be, and is hereby, enacted, declared, and adjudged, to be from henceforth wholly dissolved, annulled, vacated, and made void, to all Intents, Constructions, and Purposes whatsoever; and that it shall and may be lawful to and for the said *Richard Morgan*, at any time or times hereafter, to contract Matrimony, and to marry (as well in the Life-time of the said *Ann*, as if she was naturally dead), with any other Woman or Women, with whom he might lawfully marry, in case the said *Ann* was not living; and that such Matrimony, when had and celebrated, shall be good, just, and lawful Marriage and Marriages; and so shall be adjudged, deemed, and taken, to all Intents, Constructions, and Purposes; and that all and every Child and Children, born in such Matrimony, shall be deemed, adjudged, and taken, to be born in lawful Wedlock, and be legitimate, and inheritable, and shall inherit all the Lands, Tenements, and other Hereditaments, from and by their Father's, Mother's, and other Ancestors, in like Manner and Form as any other Child or Children, born in lawful Matrimony, shall or may inherit, or be inheritable unto, according to the Course of Inheritance used in this Realm; and to have and enjoy all Privileges, Pre-eminences, Benefits, and Advantages, Claims, and Demands, as any other Child or Children, born in lawful Wedlock, may have or claim, by the Laws and Customs of this Kingdom.

And be it further Enacted, That the said *Richard Morgan* shall be intitled to be Tenant, by Courtesy, of Lands and Inheritances of such Wife as he shall so marry; and such Wife or Wives as he shall so marry shall be intitled to Dower of the Lands and Tenements whereof the said *Richard Morgan* shall be seized of such Estate, whereof she or they shall be dowable, as any other Husband or Wife may or might claim, have or enjoy; and the Child or Children born in such Marriage and Marriages, shall and may derive, and make Title by Descent, or otherwise, to and from any of their Ancestors, as any other Child or Children may do, any Law, Statute, Restraint, Prohibition, Ordinance, Canon, Constitution, Prescription, or Custom, had, made, exercised, or used, to the contrary, notwithstanding.

And

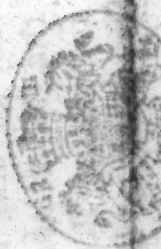


And be it further Enacted and Declared, by the Authority aforesaid, That the said *Ann* shall be barred and excluded of and from all Dower and Thirds, unto and of the Lands, Tenements, and Hereditaments, of the said *Richard Morgan*; and that all Conveyances, Jointures, Settlements, Limitations, and Creations of Uses and Trusts, of, in, to, or out of, any Lands, Tenements, or Hereditaments, heretofore made by the said *Richard Morgan*, or *Richard Morgan* deceased, his Father, or any Trustees, unto or for the Use and Benefit of the said *Ann*, or for the Use or Benefit of any Issue of her Body, shall, from henceforth, be utterly void, and of none Effect; and all and every the Lands and Hereditaments of the said *Richard*, or any of his Ancestors or Trustees, shall, from thenceforth, remain, and be, to and for the Use and Benefit of the said *Richard*, and such other Person or Persons, and for such Estates and Interests, and in such Manner and Form, as if the said *Ann* was now naturally dead, without Issue of her Body.

And be it further Enacted, by the Authority aforesaid, That all Estates, Uses, Trusts, Powers, Provisoes, Clauses, or Limitations, in any Deed of Settlement, or other Deed, Will, or Article, heretofore created, made, limited, expressed, or contained, to or for the Benefit of the First, and all or any other Sons, or of the Issue Male, or Heirs, of the Body of the said *Ann*, begotten, or to be begotten, of and in all or any the Lands, Tenements, and Hereditaments, of the said *Richard Morgan*; and also all Trusts, Limitations, and Provisoes, for raising Portions, and Maintenances, for any younger Son or Sons, Daughter or Daughters, of the said *Richard Morgan*, on the Body of the said *Ann*, begotten, or to be begotten, shall cease, determine, and be utterly void, and of none Effect; and shall be taken, and construed to be, as if the said *Ann* was actually dead, and had never any Child, Male or Female, by the said *Richard Morgan*.

And be it further Enacted and Declared, by the Authority aforesaid, That all and every Child or Children, as well Male as Female, which at any time since the First Day of May, One thousand Seven hundred and Fifty-two, have been born of the Body of the said *Ann*, Wife of the said *Richard Morgan*, are Bastards, and spurious Issue, and not the lawful Issue, of the said *Richard Morgan*, on the Body of the said *Ann* his Wife begotten; and that no such Child or Children, so born, since the said First Day of May, One thousand Seven hundred and Fifty-two, nor any other Child or Children which hereafter shall be born of the Body of the said *Ann*, now Wife of the said *Richard Morgan*, shall be deemed, taken, or reputed to be, the lawful Issue of the said *Richard Morgan*, on the Body of the said *Ann* begotten.

Provided that nothing in this Act contained shall extend, or be construed to extend, to vacate or destroy any Provision, Estate, or Interest, made for the Maintenance, Support, or Benefit, of the said *Ann*, since the Time of the aforesaid Sentence of Divorce, obtained by any Deed or Writing, entered into by and between the said *Richard Morgan*, and the said *Ann* his Wife, or other Parties, for that Purpose.



[3]

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